

### **AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheet" of drawings includes changes to Figure 1 and formalization of part numbering for Figures 1-4. The attached "Replacement Sheet 1/1" which includes Figures 1-4, replaces the original sheet including Figures 1-4.

Attachment: Replacement Sheet 1/1

### **REMARKS**

Claims 18, 23, 24 and 26 through 51 are now pending in the application. Claims 38, 40-42 and 44-46 are herein amended. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **AMENDMENTS TO THE SPECIFICATION**

Paragraph [0022] of the specification has been amended to identify a part number 29 for the previously identified but un-numbered cable tree. The cable tree 29 has also been added to Figure 1 as noted herein. The Examiner is respectfully requested to enter amended paragraph [0022].

### **DRAWINGS**

The drawings stand objected to for certain informalities. Applicants have attached revised drawings for the Examiner's approval. In the "Replacement Sheet 1/1" a portion of a cable tree 29 has been added in Figure 1 and Figures 1-4 have also been converted to formal drawings with their part numbers shown as typed symbols. The Examiner is respectfully requested to enter the attached replacement sheet having formal Figures 1-4 including amended Figure 1 and withdraw the objection to the drawings.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 30 through 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over DE19775273 (DE 273) in view of Boville (U.S. Pat. No. 5,168,604). This rejection is respectfully traversed.

Applicants initially note the subject office action mailed July 28, 2005 refers on page 4 to Patent DE 19775273. Because only the references of Boville (U.S. Patent 5,168,604) and Kraus (U.S. Patent 6,076,781) were identified by the Examiner as newly discovered references and patent DE 1975273 was previously identified in Form 1449 filed with the subject application on November 24, 2003, Applicants note Patent DE 19775273 should be DE 1975273. Applicants also initially note several items referred to by the Examiner such as a holding pin (22), a catch element (24), a ramp (14), a catch (13) and a locking surface are not specifically identified in rejected Claims 30-34.

DE 273 does not teach or suggest the “compressing the holder adjacent the spring fingers to deflect the spring fingers” limitation of Claim 30. DE 273 in Figures 1 and 2 teaches a first part 1 which includes wings 7 and 8 facing outwardly from a first side and an opposed pair of fingers 11, 12 extending from a second side which can engage in a trough or channel defined between sides 17, 18 of a second part 15. The area 3 of the first part 1 between the fingers 11, 12 appears to be a rigid section from which fingers 11, 12 depend. The longitudinally extending raised ribs 5 appear to reinforce this area and prevent compression of area 3. If first part 1 of DE 273 is equated to the holder of Applicants' device, the limitation of “compressing the holder adjacent the spring fingers to deflect the spring fingers” cannot be met, because there is no suggestion in DE 273 that area 3 is compressible to deflect the fingers 11, 12 and

appears instead to be substantially incompressible. Contrary to the Examiner's interpretation, DE 273 appears to suggest that in lieu of compressing first part 1 or deflecting the fingers 11, 12 it would be more appropriate to slide the fingers 11, 12 into an open end (the right end as viewed in Figure 2) of the channel of the second part 15 until the tooth area 20 of first part 1 engages the grooved areas 19 of second part 15.

Boville, similar to DE 273, also does not teach or suggest the "compressing the holder adjacent the spring fingers to deflect the spring fingers" limitation of Claim 30. Boville teaches a clip having a bottom part 1 anchored in a hole 3 of a bodywork panel 4, and a top part 2 connectable to the bottom part 1 as a snap fastener. See column 3, lines 14-22. Top part 2 includes resilient locking or support tongues 17 which are connected to two side walls 15. The support tongues 17 "project obliquely inwardly and are able to open elastically outwardly." See column 3, lines 56-65. Boville does not teach or suggest that side walls 15 are compressible and based on their substantially "L-shaped" cross section shown in Figure 1, the side walls appear to be substantially incompressible when the support tongues 17 deflect upon connection of parts 1 and 2.

The suggested modification of DE 273 and Boville therefore does not teach or suggest "compressing the holder adjacent the spring fingers to deflect the spring fingers" limitation of Claim 30. The suggested modification of DE 273 and Boville therefore cannot render Claim 30 obvious. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claim 30. Because Claims 31-34 depend from Claim 30, the suggested modification of DE 273 and Boville cannot render Claims 31, 32, 33 or 34 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claims 31 through 34.

Claims 38 through 44, 48, 49 and 51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Boville (U.S. Pat. No. 5,168,604) in view of Kraus (U.S. Pat. No. 6,076,781). This rejection is respectfully traversed.

It is initially noted Claim 38 has been amended to recite in part:

“a holder releasably connectable to the frame of the fastener element  
having a pair of support surfaces spatially separated from each other,  
each support surface defining a concave curvature facing away from the  
flange when the holder is connected to the frame, the pair of surfaces of  
the holder being operable to support an elongated object;  
a middle segment of the holder integrally joining the support surfaces, the  
middle segment having a plurality of parallel, spatially separated webs  
oriented longitudinally with respect to the middle segment;  
an opposed pair of fingers integrally connected to the middle segment and  
extending opposite to the support surfaces, the fingers elastically  
deflectable towards each other and the middle segment compressible  
proximate the webs to engage the fingers with the fastener element.”

Boville does not teach or suggest a middle segment of the holder integrally joining the support surfaces or that the middle segment includes a plurality of parallel, spatially separated webs oriented longitudinally with respect to the middle segment. Boville also does not teach or suggest the middle segment is compressible proximate the webs to engage the fingers with the fastener element.

Kraus appears to teach a pipe mounting apparatus having a holding region 1 and a bearing region 2 extending from both sides of the holding region. The holding region 1 is connected to an external support member. See column 5, lines 24-28. Kraus also appears to teach a middle segment, arch 60'. See column 8, lines 50-55. Kraus does not teach or suggest that the middle segment or arch 60' includes a plurality of parallel, spatially separated webs oriented longitudinally with respect to the middle segment. Kraus also does not teach or suggest the middle segment is compressible proximate the webs to engage the fingers with the fastener element.

The suggested modification of Boville and Kraus does not teach or suggest a middle segment of the holder integrally joining the support surfaces, the middle segment having a plurality of parallel, spatially separated webs oriented longitudinally with respect to the middle segment as recited in amended Claim 38. The suggested modification of Boville and Kraus also does not teach or suggest the middle segment is compressible proximate the webs to engage the fingers with the fastener element as recited in amended Claim 38. The suggested modification of Boville and Kraus therefore cannot render amended Claim 38 obvious. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claim 38. Because Claims 39-44, 48, 49 and 51 depend from Claim 38, the suggested modification of Boville and Kraus cannot render Claims 39-44, 48, 49 or 51 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claims 39-44, 48, 49 and 51.

### **ALLOWABLE SUBJECT MATTER**

The Examiner states that Claims 18, 23, 24, 26 through 29 and 35 through 37 are allowed. Applicants wish to thank the Examiner for indication of allowed subject matter.

The Examiner states that Claims 45 through 47 and 50 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants acknowledge the allowability of Claims 45 through 47 and 50 if rewritten in independent form, however Applicants withhold amendment of these Claims pending further examination of Claim 38, amended herein. Because Claims 45 through 47 and 50 depend from amended Claim 38, Claims 45 through 47 and 50 should now be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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